UNITED STATES BANKRUTPCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re:

: Chapter 13

William Gamble :

Bankruptcy No. 17-10118AMC

Debtor.

<u>ORDER</u>

AND NOW, this 22nd day of March, 2017, the Debtor having filed the above bankruptcy case on January 9, 2017,

AND, the Debtor having filed two (2) prior bankruptcy cases before the present case:

Including case number 14-13574, a Chapter 13 case filed in the Eastern District of Pennsylvania Bankruptcy Court on May 4, 2014 and dismissed on September 23, 2014 for failure to make plan payments,

Including case number 15-16202, a Chapter 13 case filed in the Eastern District of Pennsylvania Bankruptcy Court on August 31, 2015 and dismissed on January 12, 2016 for failure to make plan payments,

AND, the docket reflecting that the Debtor has failed to make plan payments as requested by the Chapter 13 Trustee,

AND, and the debtor having failed to appear at the hearing on the Trustee's Motion to Dismiss scheduled for March 21, 2017,

AND, it appearing that it may be appropriate to enter an order barring the Debtor from filing future bankruptcy cases for a period of 365 days, either individually or jointly, without first obtaining this Court's permission, to the extent this Court finds that the Debtor filed this case in bad faith,

It is hereby **ORDERED** that:

A HEARING to consider DISMISSAL of this case and RESTRICTIONS on the Debtors' right to refile another bankruptcy case is SCHEDULED on April 18, 2017 at 11:00 a.m. in Bankruptcy Courtroom No. 5, Second Floor, Robert N.C. Nix Building & Courthouse, 900 Market Street, Philadelphia, Pennsylvania to show cause why this bankruptcy case should not be dismissed for Debtor's failure to make plan payments,

It is **FURTHER ORDERED** that if the Debtor fails to appear at the hearing scheduled above, this case may be dismissed without further notice and an Order may be entered **barring the Debtor from filing future bankruptcy cases for a period of 365 days**, either individually or jointly, without first seeking court approval. <u>See</u>, <u>e.g.</u>, <u>In re Casse</u>, 198 F. 3d 327 (2d Cir. 1999).

Ashely M. Chan

United States Bankruptcy Judge

Copies to:

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Michele Perez Capilato, 500 Office Center Drive Suite 400 Ft. Washington, PA 19034

William C. Miller Chapter 13 Trustee 1234 Market Street Suite 1813 Philadelphia, PA 19107 United States Trustee Office of the U.S. Trustee 833 Chestnut Street Suite 500 Philadelphia, PA 19107

Barbara Townsend, Courtroom Deputy